



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: HHS DPA/SE 7-0-0-0 | 3rd Read 23-4-2-1

House: HHS DP 6-2-0-1

SB1221: hospitals; fingerprints; private investigators; identification

Sponsor: Senator Shope, LD 16

House Engrossed

Overview

Permits licensed hospitals to request assistance from a criminal justice agency, for noncriminal justice purposes, to determine the identity of an unidentified patient who is either incapacitated or deceased through fingerprint analysis or biometric identification techniques. Authorizes a registered private investigator (PI) to fingerprint or obtain the biometric information from the unidentified patient to provide to the criminal justice agency without the patient's authorization or consent.

History

A *private investigator* is a person other than an insurance adjuster or an on-duty peace officer who, for any consideration, engages in business or accepts employment to: 1) furnish, agree to make or make any investigation for the purpose of obtaining information with reference to specified circumstances; 2) secure evidence to be used before investigating committees, boards of award, arbitration or in the trial of civil or criminal cases and the preparation therefor; or 3) investigate threats of violence and provide the service of protection of individuals from serious bodily harm or death ([A.R.S. § 32-2401](#)).

A *criminal justice agency* is defined as the courts, a government agency or any subunit thereof which performs detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision or rehabilitation of accused persons or criminal offenders.

Criminal history record information refers to the information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information or other formal criminal charges, any disposition arising therefrom, sentencing, correctional supervision and release ([A.R.S. § 41-1701](#)).

The Director of the Arizona Department of Public Safety (DPS) is authorized to establish a fee in an amount necessary to cover the cost of federal noncriminal justice fingerprint processing for criminal history record information checks that are authorized by law for noncriminal justice employment, licensing or other lawful purposes. DPS can charge an additional fee for noncriminal justice fingerprint processing and fees submitted to DPS for this are not refundable ([A.R.S. § 41-1750](#)).

Provisions

1. Permits a licensed hospital to request assistance from a criminal justice agency, for noncriminal justice purposes, to determine the identity of an unidentified patient who is either

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

incapacitated or deceased through fingerprint analysis or biometric identification techniques. (Sec. 1)

2. Permits a registered PI to fingerprint or obtain the biometric information from the unidentified patient and provide the fingerprints or biometric information to the criminal justice agency without the patient's authorization or consent. (Sec. 1)
3. Requires the criminal justice agency to provide the name of the unidentified patient to the requesting hospital. (Sec. 1)
4. Prohibits the criminal justice agency from providing the unidentified patient's criminal history record to the requesting hospital. (Sec. 1)
5. Deems the requesting hospital responsible for the cost of fingerprinting or obtaining the biometric information and for paying the established fee. (Sec. 1)